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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,557	06/12/2001	Adam W. Divelbiss	VRex-0001USAADNO1	6140

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Reveo, Inc.
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Elmsford, NY 10523

EXAMINER

PESIN, BORIS M

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 08/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/879,557

Applicant(s)

DIVELBISS ET AL.

Examiner

Boris Pesin

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 31-51 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 31-51 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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DETAILED ACTION

Claim Rejections - 35 USC § 112

Claims 34 -36 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

In regards to claim 34, the applicant discloses an “application configuration database”. However, there is no mention of this database in the specification or the drawings. It is not clear to the examiner what exactly an application configuration database is.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 31, 32, 37-41 and 43-51 are rejected under 35 U.S.C. 102(e) as being anticipated by Takeda et al. (US 6022274).

In regards to claim 31, Takeda teaches an interactive game system comprising: an input subsystem (Figure 1, Element 56a and 56b); an output subsystem (Figure 1, Element 58); and an application interface subsystem in communication with the input subsystem and the output subsystem, the application interface subsystem being configurable to execute any one of a plurality of applications, the application interface subsystem additionally for configuring input signals from the input subsystem for use by the any one of the plurality of applications and for configuring output signals from the any one of the plurality of applications for use by the output subsystem (i.e. "This enables a computer system embodied within console 52 to access the information contained within read only memory 76, which information controls the console computer system to play the appropriate video game by displaying images and reproducing sound on color television set 58 as specified under control of the read only memory game program information" Column 3, Line 35).

In regards to claim 32, Takeda teaches a system wherein the application interface subsystem comprises: an application execution and control unit (i.e. Figure 2, Element 100); and a local secondary application subsystem in communication with the application execution and control unit (Figure 2, Element 200).

In regards to claim 37, Takeda teaches a system further comprising at least one software implemented game readable by the application interface subsystem (i.e. Figure 2, Element 54).

In regards to claim 38, Takeda teaches a system wherein the input subsystem comprises a control input unit for receiving a control input and configuring the control input for use by the application execution and control unit (Figure 2, Element 138).

In regards to claim 39, Takeda teaches a system wherein the input subsystem comprises a visual input unit for receiving a visual input and configuring the visual input for use by the application execution and control unit (Figure 2, Element 138).

In regards to claim 40, Takeda teaches a system wherein the input subsystem comprises an audio input unit for receiving an audio input and configuring the audio input for use by the application execution and control unit (Figure 2, Element 138).

In regards to claim 41, Takeda teaches a system wherein the input subsystem comprises a position input unit for receiving a position input and configuring the position input for use by the application execution and control unit (Figure 2, Element 138).

In regards to claim 43, Takeda teaches a system wherein the output subsystem comprises a visual output unit for receiving a visual output from the application execution and control unit and configuring the visual output for use by a user (Figure 2, Element 200).

In regards to claim 44, Takeda teaches a system wherein the output subsystem comprises an audio output unit for receiving an audio output from the application execution and control unit and configuring the audio output for use by a user (Figure 2, Element 200).

In regards to claim 45, Takeda teaches a system wherein the output subsystem comprises a special effects unit for receiving special effects output from the application

execution and control unit and configuring the special effects output for use by a user. (Figure 2, Element 200).

In regards to claim 46, Takeda teaches a system wherein the output subsystem comprises a stereoscopic display unit for receiving stereoscopic display output from the application execution and control unit and configuring the stereoscopic display output for use by a user (i.e. "System 50 sizes, rotates and moves these geometric shapes appropriately, "projects" them, and puts them all together to provide a realistic image of the three-dimensional world from any arbitrary viewpoint. System 50 can do this interactively in real time response to a person's operation of game controllers 86." Column 10, Lien 46).

In regards to claim 47, Takeda teaches a system wherein the output subsystem comprises an acceleration feedback unit for receiving an acceleration feedback output from the application execution and control unit and configuring the acceleration feedback output for use by a user (Figure 200, Element 200).

In regards to claim 48, Takeda teaches a system wherein the local secondary application subsystem comprises a audio/video playback unit (Figure 2, Element 140 and 144).

In regards to claim 49, Takeda teaches a system wherein the local secondary application subsystem comprises a console application unit (Figure 2, Element 200).

In regards to claim 50, Takeda teaches a system wherein the input subsystem comprises an input interface for receiving input and configuring the input for use by the application execution and control unit (Figure 2, Element 138).

In regards to claim 51, Takeda teaches a system wherein the output subsystem comprises an output interface for receiving output from the application execution and control unit and configuring the output for use by a user (Figure 2, Element 140 and 144).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeda et al. (US 6022274) in view of Baker et al. (US 6106399).

In regards to claim 33, Takeda teaches all the limitations of claim 32. Takeda does not teach a network communications unit enabling communication between the application execution and control unit and one of an application and file server unit, at least one other interactive game system, at least one multi-purpose interactive application execution server, and any other external systems. Baker teaches, "The

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present invention relates to the use of client and server software communicating with each other via the Internet to create and maintain a multi-user role-playing game. The virtual world of the game is presented to each user by means of text and dimensional audio. The virtual world of the game is infinitely expandable and updateable, and the software reacts to user inputs to make the virtual world change according to user actions." (Abstract, Line 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Takeda with the teachings of Baker and include a network communication unit with the motivation to provide the user with a better gaming experience by enabling him to play with others.

In regards to claim 34, Takeda teaches all the limitations of claim 32. Since it is not clear to the examiner by what the applicant exactly meant by "the application configuration database", the examiner will interpret it to mean any memory that stores information about a particular application. Therefore; Takeda further teaches a system wherein the application execution and control unit further comprises: an application configuration database (Figure 2, Element 54); and an application management system coordinating communication between the input interface, the output interface, and the local secondary application subsystem, based on information stored in the application configuration database (Figure 2, Elements 100 and 138). Takeda does not teach coordinating communication with the network communications unit. However, Baker teaches, "The present invention relates to the use of client and server software communicating with each other via the Internet to create and maintain a multi-user role-playing game. The virtual world of the game is presented to each user by means of text

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and dimensional audio. The virtual world of the game is infinitely expandable and updateable, and the software reacts to user inputs to make the virtual world change according to user actions.” (Abstract, Line 1).

In regards to claim 35, Takeda and Baker teach all the limitations of claim 34. Takeda further teaches, a system wherein the application execution and control unit further comprises an interface management system, the interface management system coordinating information transfer between the application management system and at least one of the input subsystem, the output subsystem, the local secondary application subsystem, and the network communications unit (i.e. Figure 2, Element 138), the interface management system also coordinating information transfer between the application and at least one of the input interface, the output interface, the local secondary application subsystem, and the network communications unit (i.e. Figure 2, Element 138).

In regards to claim 36, Takeda and Baker teach all the limitations of claim 34. Takeda further teaches a system wherein the application configuration database further comprises: an application navigation script file for storing information relating to executing the applications (i.e. Figure 2, Element 108), an application interface script file; for storing information relating to user control of the application (i.e. Figure 2, Element 108); and an application manager startup file enabling loading and executing the application (i.e. Figure 2, Elements 76 and 77).

Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takeda et al. (US 6022274) in view of Nishiumi et al. (US 5897437).

In regards to claim 42, Takeda teaches all the limitations of claim 32. Takeda does not teach, a system wherein the output subsystem comprises a force feedback unit for receiving a force feedback output from the application execution and control unit and configuring the force feedback output for use by a user. Nishiumi teaches, "A vibration source is fixed to the lid. When a specific CPU address and data are outputted from terminals, an electric power of a battery is applied to the vibration source by a driver circuit, and therefor, the vibration source generates a vibration. The vibration generated by the vibration source is conveyed from the lid to the controller, and then, to hands of a player grasping the controller." (Abstract, Line 3). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Takeda with the teachings of Nishiumi and include an output subsystem that comprises a force feedback unit for receiving a force feedback output from the application with the motivation to provide the user with a more enjoyable experience.

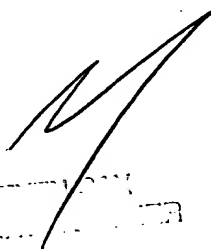
Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (703) 305-8774. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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